IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SIXTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10549 of 2005

Between:

Smt.Habeebunnisa Begum W/o.Late Syed Ahmed
R/o.9-4-86/45 Salarjung Colony Hyderabad.

..... PETITIONER

AND

1 Ms.Quli Qutub Shahi Urban Development Authority Rep. by its Secretary, Purana Haveli, Hyderabad.
2 Director of Tourism, Archeology and Museums, A.P.Hyderabad

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in acquiring the petitioners house bearing 9-4-136/A along with 488 Sq.yds of land without initiating the land acquisition proceedings and without making any compensation nor provided with an alternative land is illegal, arbitrary, unconstitutional and in violation of Sec.4 91) of the Land Acquisition Act.

Counsel for the Petitioner:SMT.A.CHAYA DEVI

Counsel for the Respondent No.: GP FOR MUNCIPAL ADMN. & URBAN DEV.

The Court at the admission stage made the following :

O R D E R:

The issue involved in this writ petition is no more *res integra* in view of the guidelines issued by a Division Bench of this Court in *Pilli Lakshmana Rao and others Vs. Executive Officer, Gram Panchayath, Challapalle and others*, wherein it is held that when any property is required for public purpose, the authorities straightaway cannot take the law into their hands and jump into the premises and attempt to evict the occupants or dispossess them or demolish their property. Before taking any such action, the authorities concerned shall issue a notice notifying as to the nature of the property, the purpose for which it is required, to whom it belongs and the action proposed calling for explanation or objections, if any, from the occupants and after considering the said objections or explanation, the authorities shall pass appropriate orders.

Having regard to these guidelines, the respondents are directed to follow the guidelines issued in *Pilli Lakshmana Rao* case, if they intend to demolish the dwelling house of the petitioner, as averred in the affidavit, if not already demolished.

With these directions, the writ petition stands disposed of. No order as to costs.

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E.DHARMA RAO.J.,

06.06.2005

tjs

To

1 Secretary, Ms.Quli Qutub Shahi Urban Development Authority,
Purana Haveli, Hyderabad.
2 Director of Tourism, Archeology and Museums, A.P.Hyderabad

3 G.P. for Municipal Administration & Urban Development, High
Court of A.P., Hyderabad.

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